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United Airlines, Inc.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

DIANA VALLARTA and LISA
SALMONS, on behalf of themselves and
all others similarly situated,

Plaintiffs,

v.

UNITED AIRLINES, INC.,

Defendant.

Case No. 4:19-cv-5895-HSG

**STIPULATION FOR DISMISSAL
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 41(a)(1)(A)(ii)**

Judge: Hon. Haywood S. Gilliam, Jr.
Courtroom: 2, 4th Floor

Complaint Filed: September 20, 2019

Pursuant to Federal Rule of Civil Procedures 41(a)(1)(A)(ii), Plaintiffs Diana Vallarta (“Vallarta”) and Lisa Salmons (“Salmons”) (collectively, “Plaintiffs”), and Defendant United Airlines, Inc. (“United”) (collectively with Plaintiffs, the “Parties”), by and through their respective counsel, jointly submit this stipulation for dismissal.

WHEREAS, on September 20, 2019, Plaintiffs filed this Action (ECF 1) asserting various claims against United arising out of and relating to Plaintiffs' purchases of travel insurance policies through United's website;

WHEREAS, on October 26, 2020, the Court entered an amended order (ECF 64) dismissing Salmons’s claims without leave to amend due to lack of personal jurisdiction, and dismissing Vallarta’s claims with leave to file an amended complaint by November 9, 2020, if she could do so consistent with Federal Rule of Civil Procedure 11.

NOW, THEREFORE, THE PARTIES, BY AND THROUGH THEIR COUNSEL OF RECORD, HEREBY STIPULATE AND AGREE as follows:

- (1) Salmons's claims having been previously dismissed from this Action for lack of jurisdiction as set forth in this Court's October 2020 amended order, Vallarta's claims in this Action are now dismissed, in their entirety, with prejudice.
- (2) Each Party shall bear her or its own costs.

Respectfully submitted,

Dated: December 1, 2020

LEVI & KORSINSKY, LLP

By: /s/ Rosemary M. Rivas

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8 *Counsel for Plaintiffs Diana Vallarta*
9 *and Lisa Salmons*

10 Dated: December 1, 2020

11 Respectfully submitted,

12 **RILEY SAFER HOLMES & CANCILA LLP**

13 By: /s/ Sondra A. Hemeryck

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24 *Attorneys for Defendant*
25 *United Airlines, Inc.*

26 **FILER'S ATTESTATION**

27 Pursuant to Civil Local Rule 5.1 regarding signatures, I attest that concurrence in the filing of this
28 document has been obtained from the other signatories.

29 /s/ Rosemary M. Rivas

30 Rosemary M. Rivas

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Counsel for Plaintiffs
Diana Vallarta and Lisa Salmons

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Counsel for Defendant
United Airlines, Inc.

Case No. 4:19-cv-5895-HSG

**[PROPOSED] ORDER GRANTING
STIPULATION FOR DISMISSAL
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 41(a)(1)(A)(ii)**

Hon. Haywood S. Gilliam, Jr.

The Court, upon the presentation of the Stipulation for Dismissal Pursuant to Federal Rule
of Civil Procedure 41(a)(1)(A)(ii), hereby orders as follows:

- 1 (1) Plaintiff Lisa Salmons's claims having been previously dismissed from this action
2 for lack of jurisdiction as set forth in this Court's October 26, 2020 amended order,
3 Vallarta's claims in this action are now dismissed, in their entirety, with prejudice;
4 and
5 (2) Each Party shall bear her or its own costs.
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7

8 **IT IS SO ORDERED** this ____ day of December, 2020.
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11 _____
The Hon. Haywood S. Gilliam, Jr.
United States District Court Judge
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